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FM AMEMBASSY MANILA
TO RUEHC/SECSTATE WASHDC IMMEDIATE 4358
INFO RUEHBK/AMEMBASSY BANGKOK IMMEDIATE 1656
RUEHBJ/AMEMBASSY BEIJING IMMEDIATE 5935
RUEHUL/AMEMBASSY SEOUL IMMEDIATE 2447
RUEAHLC/DHS WASHINGTON DC IMMEDIATE
RUEHGV/USMISSION GENEVA IMMEDIATE 2175

C O N F I D E N T I A L MANILA 005062

SIPDIS

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STATE FOR PRM/A, EAP/MTS, AND EAP/K
DHS FOR OFFICE OF ASYLUM, REFUGEES AND INTERNATIONAL
ORGANIZATIONS
BANGKOK FOR REFCOORD HONNOLD

E.O. 12958: DECL: 12/21/2011

TAGS: PREF PREL PGOV PHUM KS KN TH RP

SUBJECT: GRP GRANTS PERMISSION TO PROCESS NORTH KOREAN
REFUGEE

REF: A. STATE 198649

1B. MANILA 4852

1C. 03 STATE 326248

Classified By: (U) Acting Deputy Chief of Mission Scott Bellard
for reason 1.4(b).

11. (U) THIS IS AN ACTION MESSAGE -- SEE PARA 4.

12. (C) At the recommendation of the Department of Foreign Affairs' UNHCR officer, Acting POL/C met on December 21 with Philippine Department of Justice (PDOJ) Chief State Counsel Attorney Ricardo Paras and his staff to determine Philippine willingness to allow the U.S. Refugee Admission Program to process Ms. Hyae Yeong Pak's case on its territory (refs a and b). (The Office of the State Counsel has primary responsibility for handling refugee cases on Philippine soil.) Attorney Paras readily agreed to our request.

13. (C) Paras noted that UNHCR had already contacted the PDOJ, which had opened a file on Ms. Pak. He suggested that, since the PDOJ had acquired jurisdiction under international law, his staff could work in tandem with U.S. counterparts to adjudicate the case quickly. "Perhaps all we'll need is one hearing," Paras said.

14. (C) ACTION REQUEST: In light of the positive Philippine government response, Embassy Manila would like formally to refer Ms. Pak's case for consideration by the U.S. Refugee Admissions Program. In accordance with ref c, we are providing the following details:

NAME: Hyae Yeong Pak

DATE OF BIRTH: January 5, 1980

NATIONALITY: North Korean

GENDER: Female

PERSECUTION CLAIM: Ms. Pak claims to have lived in a town on the North Korean-Chinese border. After suffering from severe hunger, she decided to flee to China. During her first escape attempt, she was discovered by Chinese authorities and refouled to North Korea, where she learned that her mother and father had been sent to a detention camp. Ms. Pak succeeded in her second escape attempt. Fearing refoulement, Ms. Pak worked clandestinely in China for five years to earn enough money to procure a passport. With this in hand, she made her way to Bangkok in mid-2006. She arrived in the Philippines in November of this year using a

photo-substituted South Korean passport. Given the detention of her parents, Ms. Pak has a well-founded fear of persecution should she return to North Korea, and has justifiable concerns of refoulement should she be forced to return to China. During a November 14, 2006, interview with UNHCR representatives in Manila, Ms. Pak clearly expressed an interest in resettling in the United States.

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